

**REMARKS**

This responds to the Office Action mailed on December 24, 2003.

No claims are amended, claims 2, 3, 6-8, 11, 12, 30, 31, and 34-37 are canceled, without prejudice, and claims 38-50 are added; as a result, claims 5, 32, 33, and 38-50 are now pending in this application. Applicant reserves the right to re-introduce the cancelled claims in a subsequent application.

**Supplemental Information Disclosure Statement**

Applicant respectfully requests that a copy of the 1449 Form, listing all references that were submitted with the Supplemental Information Disclosure Statement filed on August 29, 2003 marked as being considered and initialed by the Examiner, be returned with the next official communication.

**§103 Rejection of the Claims**

Claims 2, 3, 30 and 31 were rejected under 35 USC § 103(a) as being unpatentable over Naito et al. (U.S. 6,034,864) in view of Farooq et al. (U.S. 6,072,690) and Devoe (U.S. 6,366,443). To facilitate prosecution of the application, Applicant has cancelled claims 2, 3, 30, and 31, without prejudice. By canceling these claims, Applicant is not necessarily agreeing with the substance of the rejection, but reserves the right to traverse the rejection if substantially similar claims and a substantially similar rejection are presented in a subsequent application, if any. Applicant believes that this rejection is moot, and respectfully requests that it be withdrawn.

Claims 6-8 were also rejected under 35 USC § 103(a) as being unpatentable over Farooq et al. in view of Mori (U.S. 5,942,063) and Borland (U.S. 4,663,189). To facilitate prosecution of the application, Applicant has cancelled claims 6-8, without prejudice. By canceling these claims, Applicant is not necessarily agreeing with the substance of the rejection, but reserves the right to traverse the rejection if substantially similar claims and a substantially similar rejection

are presented in a subsequent application, if any. Applicant believes that this rejection is moot, and respectfully requests that it be withdrawn.

Claims 11, 12 and 36 were also rejected under 35 USC § 103(a) as being unpatentable over Farooq et al. in view of Naito et al. and Borland. To facilitate prosecution of the application, Applicant has cancelled claims 11, 12, and 36, without prejudice. By canceling these claims, Applicant is not necessarily agreeing with the substance of the rejection, but reserves the right to traverse the rejection if substantially similar claims and a substantially similar rejection are presented in a subsequent application, if any. Applicant believes that this rejection is moot, and respectfully requests that it be withdrawn.

Claims 34, 35, and 37 were also rejected under 35 USC § 103(a) as being unpatentable over Farooq et al., Naito et al., and Borland, and further in view of Mori. To facilitate prosecution of the application, Applicant has cancelled claims 34, 35, and 37, without prejudice. By canceling these claims, Applicant is not necessarily agreeing with the substance of the rejection, but reserves the right to traverse the rejection if substantially similar claims and a substantially similar rejection are presented in a subsequent application, if any. Applicant believes that this rejection is moot, and respectfully requests that it be withdrawn.

New Claims

Applicant has added new claims 38-50. The subject matter of each of these claims was included in claims that are being cancelled by this response. Therefore, no new matter is being introduced as a result of these new claims. In addition, the subject matter of the claims has been searched by the Examiner in conjunction with previous Office Actions, and therefore Applicant believes that a new search is not necessitated by the introduction of these new claims. Accordingly, Applicant earnestly requests that the Examiner consider and allow the new claims.

Allowable Subject Matter

Claims 5, 32 and 33 were allowed. Applicant appreciates the thorough review and consideration of these claims by the Examiner.



AMENDMENT UNDER 37 C.F.R. 1.116 – EXPEDITED PROCEDURE

Serial Number: 09/473315

Filing Date: December 28, 1999

Title: HIGH PERFORMANCE CAPACITOR

Assignee: Intel Corporation

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Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney, Sherry Schumm at (480) 657-3766, or Applicant's below-named representative at (612) 349-9592 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

LARRY E. MOSLEY

By his Representatives,

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Date April 22, 2004

By Ann M. McCrackin  
Ann M. McCrackin  
Reg. No. 42,858

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22 day of April 2004.

Name

Anne M. Richards

Signature

Anne M. Kilk